

agency whose section 314(a) plan covers (in whole or in part) the area in which such hospital is located or which is served by such hospital, and (B) section 314(b) areawide health planning agency whose section 314(b) plan covers (in whole or in part) such area.

(3) For purposes of this subsection, the term "section 314(a) State health planning agency" means the agency of a State which administers or supervises the administration of a State's health planning functions under a State plan approved under section 314(a) of the Public Health Service Act (referred to in paragraph (2) as a "section 314(a) plan"); and the term "section 314(b) areawide health planning agency" means a public or nonprofit private agency or organization which has developed a comprehensive regional, metropolitan, or other local area plan or plans referred to in section 314(b) of that Act (referred to in paragraph (2) as a "section 314(b) plan").

(c) Section 3 of the Emergency Health Personnel Act Amendments of 1972 is repealed.

SEC. 819. This Act may be cited as the "Department of Defense Appropriation Authorization Act, 1974".

Approved November 16, 1973.

Definitions.

80 Stat. 1181;
86 Stat. 1293.
42 USC 246.

Repeal.

86 Stat. 1292.
42 USC 246
note.
Short title.

Public Law 93-156

AN ACT

November 21, 1973
[H. R. 5692]

To amend title 5, United States Code, to revise the reporting requirement contained in subsection (b) of section 1308.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (b) of section 1308 of title 5, United States Code, is amended to read as follows:

"(b) The Commission shall annually provide an analysis to Congress of the administration and operation of chapter 41 of this title."

Approved November 21, 1973.

Civil Service
Commission.
Annual reports.
80 Stat. 402.

5 USC 4101.

Public Law 93-157

AN ACT

November 21, 1973
[H. R. 4771]

To authorize the District of Columbia Council to regulate and stabilize rents in the District of Columbia.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Rent Control Act of 1973".

District of
Columbia Rent
Control Act of
1973.

DEFINITIONS

SEC. 2. As used in this Act—

(a) The term “rent” means the entire amount of money, money’s worth, bonus, benefit, or gratuity demanded, received, or charged by the lessor or landlord to a lessee or tenant as a condition of occupancy and use of a residence and its related facilities including, but not limited to, charges for parking and utilities and the use of recreational facilities if provided.

(b) The term “residence” means a room, apartment, efficiency, group of rooms, or a single family dwelling or other residence rented, leased, or offered for rent or lease for dwelling purposes as a unit in a structure used or which may be used as a dwelling place located in the District of Columbia. This term shall not include any room or space rented, leased, or offered for rent or lease which is located in a hotel, motel, or other unit used for transient occupancy.

(c) The term “landlord” means an owner, lessor, sublessor, assign, or other person receiving or entitled to receive the rents or benefits thereof for the use or occupancy of any residence as herein defined and it shall also mean the agent of the foregoing.

(d) The term “tenant” means a tenant, subtenant, lessee, sublessee, or other person entitled to the possession or to the use or the occupancy or the benefits thereof of any residence as herein defined.

(e) The term “Council” means the District of Columbia Council established under Reorganization Plan Numbered 3 of 1967.

(f) The term “person” means an individual, corporation, partnership, association, joint venture, or any organized group of individuals or the legal successor or assigns or representatives of the foregoing.

POWERS OF THE DISTRICT OF COLUMBIA COUNCIL

SEC. 3. (a) Within sixty calendar days after the date of enactment of this Act, and thereafter at such times as the Council deems necessary, the Council shall hold public hearings to determine whether a situation exists in the District of Columbia by reason of the shortage of leased or rental residences which is causing serious overcrowding or increasing rents which are contrary to the public health, safety, and general welfare of the tenants and the District of Columbia. If the Council makes such a determination then the Council is authorized to adopt such rules as it determines necessary and appropriate to regulate and stabilize rents in the District of Columbia, including rules regarding retaliatory action specifically prohibited under section 5 of this Act, except that any such rules so adopted to stabilize and regulate the amount of rent or benefits which a landlord is entitled to receive for the use or occupancy by any tenant of any residence shall provide means whereby increased costs incurred by such landlord and directly related to such residence shall be taken into consideration in determin-

81 Stat. 948.
5 USC app. II.

Rent regulation
and stabilization.

ing the amount of such rents or benefits which such landlord is entitled to receive in connection with such use or occupancy under such rules. Such rules may be modified or terminated at any time by a majority vote of the Council.

(b) With respect to any hearing held under this section, the Council shall afford interested persons an opportunity to participate in such a hearing through submission of written data, views, and arguments, with an opportunity to present oral testimony. The record and findings made in such hearings shall be the basis for the adoption of such rules by the Council.

THE COMMISSION

SEC. 4. (a) In the event the Council adopts rules under section 3 to stabilize and regulate rents, the Council is authorized to establish a temporary District of Columbia Housing Rent Commission (hereinafter referred to as the "Commission") for the District of Columbia to carry out and enforce such rules. Such Commission shall terminate on the forty-fifth day after the date of termination of the rules adopted by the Council under section 3. Such Commission shall be composed of nine members, appointed by the Commissioner of the District of Columbia with the advice and consent of the Council, of whom four members shall be representative of solely the interests of landlords in the District of Columbia and four shall be representatives of solely the interests of tenants in the District of Columbia. All members of the Commission shall be residents of the District of Columbia. Each member shall serve until the termination of the Commission. The members shall select a chairman of the Commission from among the members of the Commission.

(b) Each member of the Commission shall be paid compensation of \$50 per day while performing duties under this Act, except that no compensation under this Act shall be paid to an employee of the government of the District of Columbia or of the United States.

(c) The Commission shall have power to adopt, promulgate, amend, or rescind such rules or orders as it may deem and find to be necessary or proper to effectuate the purposes of this Act. In addition, the Commission shall employ such personnel or consultants, including legal counsel, as are necessary, at such rates of compensation as may be fixed by the Commissioner of the District of Columbia. Upon the request of the Chairman of the Commission, each department of the District of Columbia is authorized to furnish such assistance or information as may be necessary for the Commission to effectively carry out this Act.

(d) In addition the Commission shall be authorized to—

(1) receive and review complaints by tenants in the District of Columbia with respect to any violation of the rules of the Council adopted under section 3, or of any rule or order of the Commission with respect to the enforcement and the administration of such rules; and

(2) in cases where operation of the rules adopted by the Council would cause serious financial hardship to a landlord, grant exemptions therefrom upon application of any landlord claiming such hardship, except no exemptions shall be granted until after notice of a hearing with respect to the application for such an exemption shall have been published and the tenants of the affected residence shall have been afforded an opportunity to submit relevant evidence to the Commission in connection with such application.

District of
Columbia Housing
Rent Commission.
Establishment.

Termination
date.

Membership.

Compensation.

Hearings.

(e) (1) Subject to such rules and regulations as may be adopted by the Commission, the Chairman shall have the power to hold such hearings, sit and act at such times and places within the District of Columbia, administer such oaths, and require by subpoena or otherwise the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents as the Commission may deem advisable in carrying out its functions under this Act.

Penalty.

(2) In the case of contumacy or refusal to obey a subpoena issued under this subsection by any person who resides, is found, or transacts business within the District of Columbia, the Superior Court of the District of Columbia, at the request of the Chairman of the Commission, shall have jurisdiction to issue to such person an order requiring such person to appear before the Commission, there to produce evidence if so ordered, or there to give testimony touching the matter under inquiry. Any failure of any such person to obey any such order of the court may be punished by the court as a contempt thereof.

Appropriation.

(f) There is authorized to be appropriated such sum, not to exceed \$85,000, as may be necessary to carry out the provisions of this section.

RETALIATORY ACTION

SEC. 5. No landlord shall take any retaliatory action against any tenant who exercises any right conferred upon him by this Act or by any rule or order issued pursuant thereto. For purposes of this subsection, retaliatory action shall include, but not be limited to, any action or proceeding to recover possession of a residence or action which would increase rent, decrease services, increase the obligations of a tenant, or bring an undue or unusual inconvenience, violation of privacy, harassment, or reduction in the quality or quantity of service or be any form of threat or coercion.

JUDICIAL REVIEW

SEC. 6. (a) Any person or class of persons aggrieved by any decision of the Commission, or by any failure on the part of the Commission to act, may seek judicial review of such decision or failure by filing a petition for review in the Superior Court of the District of Columbia. The Commission on its own initiative, may commence a civil action to enforce the rules of the Council or of the Commission. Such an action brought by the Commission shall be brought in the Superior Court of the District of Columbia.

Litigation costs.

(b) The Superior Court, in issuing any order in any action brought under this section, shall award costs of litigation (including a reasonable attorney and witness fee) to any successful plaintiff.

CRIMINAL PENALTIES

SEC. 7. Any person who willfully violates any provision of this Act, or any rule promulgated by the Council under section 3, or any rule or order of the Commission, shall be fined not more than \$5,000 for each such violation.

TERMINATION

SEC. 8. (a) The provisions of this Act, and all rules, orders, and requirements thereunder, shall terminate at the end of the one-year period beginning on the date that rules adopted by the Council pursuant to section 3(a) of this Act to regulate and stabilize rents in the District of Columbia become effective or, if no such rules are in effect on the date of expiration of the one-year period following the date of

the enactment of this Act, such provisions, orders, and requirements shall terminate on the date of expiration of the one-year period following the date of the enactment of this Act, except that as to offenses committed, or rights or liabilities incurred, prior to such termination date, the provisions of this Act, and such rules, orders, and requirements, shall be treated as still remaining in force for the purpose of sustaining any proper suit, action, or prosecution with respect to any such right, liability, or offense.

(b) With respect to any such rules adopted pursuant to such section 3(a) to regulate and stabilize rents in the District of Columbia, the Council shall, on the expiration of six-month period following the effective date of such rules, conduct a hearing with a view to determining whether such rules should be modified or terminated by reason of a change in the situation which existed in the District at the time of the adoption of such rules and which was the basis for such rules. The provisions of the first sentence of section 3(b) of this Act shall be applicable with respect to such hearing held pursuant to this subsection.

EMERGENCY RENT CONTROL ACT REPEALED

SEC. 9. The District of Columbia Emergency Rent Act of 1951 (D.C. Code, secs. 45-1601—45-1611) is hereby repealed.

Approved November 21, 1973.

Repeal.
65 Stat. 98.

Public Law 93-158

AN ACT

To amend Public Law 93-60 to increase the authorization for appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended, and for other purposes.

November 26, 1973
[S. 2645]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 101(a) of Public Law 93-60 is hereby amended by striking therefrom the figure "\$1,740,750,000" and substituting the figure "\$1,751,450,000".

SEC. 2. Section 101(b) of Public Law 93-60 is hereby amended by adding to subsection (b) (1) the following words: "Project 74-1-i, additional waste concentration and salt cake storage facilities, Richland, Washington, \$30,000,000."

Approved November 26, 1973.

Atomic Energy
Commission.
Appropriation
authorization
increase.
Ante, p. 143.

Public Law 93-159

AN ACT

To authorize and require the President of the United States to allocate crude oil, residual fuel oil, and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system which jeopardize the public health, safety, or welfare; to provide for the delegation of authority; and for other purposes.

November 27, 1973
[S. 1570]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Emergency Petroleum Allocation Act of 1973".

Emergency
Petroleum Allo-
cation Act of
1973.